

EXHIBIT 145

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

THE STATE OF TEXAS, et al.,)
Plaintiff,)

VS.) Civil Action No.
) 4:20-CV-00957-SDJ
GOOGLE LLC,)
Defendant.)

ORAL AND VIDEOTAPED DEPOSITION OF
THE CORPORATE REPRESENTATIVE OF THE STATE OF TEXAS,
JUSTIN GORDON

APRIL 17, 2024

ORAL AND VIDEOTAPED DEPOSITION OF THE CORPORATE
REPRESENTATIVE OF THE STATE OF TEXAS, JUSTIN GORDON,
produced as a witness at the instance of the Defendant,
and duly sworn, was taken in the above-styled and
numbered cause on April 17, 2024, from 9:12 a.m. to
8:34 p.m., before Donna Wright, CSR in and for the
State of Texas, reported by machine shorthand, at the
law offices of NORTON ROSE FULBRIGHT US LLP,
98 San Jacinto Boulevard, Suite 1100, Austin, Texas,
pursuant to the Federal Rules of Civil Procedure and
the provisions stated on the record or attached hereto.

Job No. CS6654495

1 Q. (BY MR. AYCOCK) So I'm just asking, what is
2 Texas' understanding of the facts here in terms of
3 what -- who -- what is the number of in-state
4 advertisers and publishers who have been harmed by the
5 conduct alleged in this case?

6 A. I am --

7 MR. COLLIER: Same objection, same
8 instruction.

9 Go ahead.

10 THE WITNESS: I am not aware of a number,
11 as I sit here today.

12 Q. (BY MR. AYCOCK) And can you name any in-state
13 advertisers who have been harmed by the alleged conduct
14 in this case?

15 A. As I sit here today, I cannot name any
16 specific advertisers.

17 I know that we identify those as
18 individuals who are impacted by this in our
19 interrogatory responses, but I cannot, as I sit here
20 today, name any specific advertiser.

21 Q. And did the State of Texas determine whether
22 any affected in-state advertisers had assets that were
23 controlled by a company with assets of \$25 million or
24 more?

25 A. I do not know.

1 Q. And can you name any in-state publishers who
2 were harmed by the alleged conduct in this case?

3 A. I know that our Interrogatory No. 5 identifies
4 harm to publishers. But, as I sit here today, I cannot
5 name any specific Texas publishers.

6 Q. And did Texas do anything to determine whether
7 any of those publishers had assets that were controlled
8 by a company with assets of \$25 million or more?

9 A. I do not know.

10 Q. Did Texas do anything to determine the size of
11 the transactions at issue with respect to the conduct
12 that's alleged in this case?

13 MR. COLLIER: Objection, form.

14 THE WITNESS: I believe that those were
15 the subject of discovery to Google, but I do not -- I
16 do not know the specifics.

17 Q. (BY MR. AYCOCK) So you are not aware of any
18 of the details in terms of what the size of the
19 transactions at issue were for the conduct that's
20 alleged in this case?

21 A. I have seen an example -- or sample Google
22 documents, but I have not seen actual transaction
23 documents. Whether or not those sample documents from
24 Google were actual transactions or were hypotheticals
25 when describing the calculations of their conduct, I do